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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
LLC,

Defendants.

CASE NO. 3:17-cv-00939-WHA

**PLAINTIFF WAYMO LLC'S
STATEMENT PURSUANT TO ORDER
REGARDING UBERS' PRIVILEGE LOG
(DKT. 567)**

1 Pursuant to Magistrate Judge Corley’s Order Regarding Uber’s Privilege Logs (Dkt. 567),
2 Plaintiff Waymo LLC (“Waymo”) respectfully submits its statement on the “process for promptly
3 resolving any further privilege log disputes.”

4 On Friday June 9, Waymo reiterated its view that the privilege logs served by Defendants
5 were deficient and not useful for evaluating the privileges asserted. (Exhibit 1.) During a
6 discussion with Special Master Cooper that same day, Defendants stipulated that they would serve
7 an amended privilege log – any deficiencies in which would constitute waiver – by 5 p.m. on
8 Tuesday June 13. (*Id.*) Defendants further stipulated that the log would identify any documents
9 that Defendants contend are not implicated by the reasoning of the Court’s order granting
10 Waymo’s motion to compel the due diligence materials. (*Id.*) While reserving its rights regarding
11 the deficiencies in the logs that Defendants have relied on to date, Waymo agreed to review the
12 amended log before initiating motion practice. (*Id.*)

13
14 Waymo proposed the following process for resolving any disputes regarding the amended
15 privilege logs: on Wednesday, Waymo will submit a letter brief of no more than 7 pages on
16 remaining privilege issues; Defendants will submit a responsive letter brief, if any, of no more
17 than 7 pages on Thursday; Waymo will submit a reply letter brief of no more than 5 pages on
18 Friday. At the prompting of Special Master Cooper, Defendants agreed that Waymo’s opening
19 brief could be filed on Wednesday, but Defendants refused to agree to the remainder of the
20 proposed briefing schedule and page limits and also refused to offer a counter-proposal on the
21 briefing schedule or page limits, suggesting only that the parties further meet and confer. (*Id.*)
22
23

24 Waymo will further meet and confer with Defendants to arrive at a joint proposal but, as
25 the deadline for agreeing to a process was the close of business today, Waymo is submitting this
26 statement to apprise the Court of the status of the parties’ efforts to arrive at such an agreement.
27
28

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2 DATED: June 12, 2017

QUINN EMANUEL URQUHART & SULLIVAN,
LLP

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4 By /s/Charles K. Verhoeven

Charles K. Verhoeven
Attorneys for WAYMO LLC